

**UNITED STATES DISTRICT COURT
THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)	CRIMINAL NO.04-CR10166(RGS)
)	
)	
V.)	
)	
DAVID CARL ARNDT)	
AND)	
DONALD BING MCGILVRAY)	

**ASSENTED TO MOTION OF THE DEFENDANT DONALD BING MCGILVRAY FOR
CONTINUANCE OF THE SENTENCING DATE**

NOW COMES the Defendant, Donald Bing McGilvray and moves for continuance of his sentencing from November 9, 2005 to a date convenient to the Court after January 18, 2006. In support thereof, the Defendant says:

1. For reasons set out in his previous Motion to Continue, the Defendant Donald Bing McGilvray has requested to be sentenced after the sentencing of Co-Defendant David Carl Arndt;
2. The sentencing of Co-Defendant David Carl Arndt has been continued from October 20, 2005 to January 18, 2006;
3. The Assistant United States Attorney Nancy Rue has assented to this Motion to continue.

WHEREFORE, the Defendant Donald Bing McGilvray moves this Court to continue the sentencing to a date convenient to the Court after January 18, 2006.

Respectfully submitted,
Defendant, Donald Bing McGilvray
By his attorney

Assented to:

/s/ Nancy Rue

Nancy Rue
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